

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

<b>In re:</b>	:	<b>MDL Docket No. 4:03CV1507-WRW</b>
	:	<b>4:05CV00497</b>
<b>PREMPRO PRODUCTS LIABILITY</b>	:	
<b>LITIGATION</b>	:	
	:	
	:	
<b>HELENE RUSH</b>	:	<b>PLAINTIFF</b>
	:	
<b>v.</b>	:	
	:	
<b>WYETH, et. al.</b>	:	<b>DEFENDANTS</b>

**ORDER**

Pending are Defendants' Motion to Strike Expert Designations and for Costs (Doc. No. 37) and a Joint Motion to Amend the Bellwether Trial Schedule (Doc. No. 35). Oral argument was heard during an April 20, 2006 telephone conference. Based on the findings of fact and conclusions of law made in the telephone conference, I rule as follows:

1. Defendant's Motion to Strike Expert Designations and for Costs (Doc. No. 37) is DENIED. However, Defendant's are permitted to redepose Dr. Klimburg this week.

2 The Joint Motion to Amend the Bellwether Trial Schedule (Doc. No. 35) is GRANTED. Accordingly, the trial schedule is as follows:

May 2, 2006	Parties submit joint (preferably) juror questionnaire.
May 12, 2006	Discovery cutoff date (case specific only).
May 15, 2006	Plaintiffs say which expert witnesses they will likely call at trial.
May 19, 2006	Dispositive motions must be filed.
June 2, 2006	Defendants say which expert witnesses they will likely call at trial.
June 5, 2006	Responses dispositive motions must be filed. Defendants' <i>Daubert</i> motions must be filed.
June 12, 2006	Replies dispositive motions must be filed.
June 14, 2006	Deposition designations must be filed.

June 16, 2006	Plaintiffs' <i>Daubert</i> motions must be filed.
June 26, 2006	Plaintiffs' response to Defendants' <i>Daubert</i> motions must be filed.
June 28, 2006	Pretrial disclosure sheet; list of witnesses to be called (with amount of time estimated for direct examination of each witness); counter-designations of depositions; objections to deposition designations; and a list of exhibits to be offered in to evidence must be filed.
June 30, 2006	Defendants' response to Plaintiffs' <i>Daubert</i> motions must be filed.
July 6, 2006	Replies (no longer than 9 pages) to <i>Daubert</i> motions must be filed. Amount of time estimated for cross examination of each witness designated by the opposing party must be filed; the Court will then consider whether a further hearing is necessary on this issue.
July 7, 2006	Objections to Pretrial disclosure sheets must be filed.
July 10, 2006	Objections to counter designations; objections to exhibits; a list of rebuttal exhibits; and motions in limine must be filed.
July 13, 2006	Hearing on <i>Daubert</i> motions and dispositive motions commences at 9 a.m.
July 14, 2006	Agreed set of jury instructions and agreed jury questionnaire must be submitted to the Court.
July 17, 2006	Oppositions to motions in limine must be filed.
Week of July 24, 2006	Disclosure of graphics to be used at trial and evidentiary hearings.
July 31, 2006	First bellwether trial begins at 9 a.m.
October 10, 2006	Second bellwether trial begins at 9 a.m..

IT IS SO ORDERED this 25th day of April, 2006.

/s/ Wm. R. Wilson, Jr. \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE